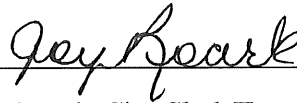


CERTIFICATION

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the above Resolution No. 15-03-1 is a true and correct copy as was presented the City Council of the City of Flemingsburg at a regular meeting dated March 9, 2015.

Given under my hand this 23rd day of March, 2015.



Joy Roark, City Clerk/Treasurer

RECEIVED AND FILED
DATE March 24, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Allen

CITY OF FLEMINGSBURG
COMMONWEALTH OF KENTUCKY

RESOLUTION NO. *15-03-1*

**A RESOLUTION ADOPTING A MODERN AND ACCURATE
LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

Whereas, the City of Flemingsburg has enacted numerous ordinances annexing property into the corporate limits of the City of Flemingsburg, and

Whereas, while each individual annexation contains a prior survey often prepared by a now unknown individual with reference documentation that no longer exists, the surveyor responsible for the performance of the survey of the territory described in the ordinance stated hereinafter in Section 1 being one and the same surveyor responsible for the preparation on the NEW MAP and LEGAL DESCRIPTION of that same territory as stated in Section 2 herein, and

Whereas, the City wishes to provide modern, accurate, easily identifiable legal descriptions reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation and

Whereas, the City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004, and

Whereas, the City does not intend to replace its prior ordinance annexing, but rather to interpret the defined boundaries of the referenced written consented territory previously annexed and adopt a modern and accurate legal description of the territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLEMINSBURG, KENTUCKY:

Section 1: That the City Council of the City of Flemingsburg hereby adopts the following legal description and a plat attached hereto as **EXHIBIT 1** as prepared by William T. (Tommy) Carpenter, Kentucky Licensed Professional Land Surveyor No. 2380 by a new survey as an accurate description of the intended territory consented for previous annexation into the corporate limits of the City of Flemingsburg, said territory referenced in Section 2, Ordinance No. 1-96-1, dated February 1, 1996 and on file in the official records of the City of Flemingsburg Office. A certified copy of said old ordinance is attached hereto as **EXHIBIT 2**, accompanied by a surveyor's map depicting the territory described in the old ordinance attached hereto as **EXHIBIT 3**.

Section 2: The new legal description as prepared by William T. (Tommy) Carpenter, Licensed Professional Land Surveyor No. 2380 is as follows:

It is the intent of the metes and bounds description of the territory stated in the above **SECTION 1** and cited hereinafter to define the area referenced in **SECTION 2** of the Final Enabling Ordinance No. 1-96-1, dated February 1, 1996 and on file in the official records of the City of Flemingsburg. In addition to referencing to the State Plane Coordinate System, this new description includes all of the unincorporated area intended to be annexed within the territory referenced in **SECTION 2** of aforesaid Final Enabling Ordinance and corrects an error in the previous description due to misrepresentation of the existing city limits at the time the old survey was performed. The boundaries and map generated by this surveyor for this submission was derived from the map of Farm Service Agency (FSA) National Agricultural Imagery Program for Kentucky ("NAIP") 2004. The bearings stated herein are referenced to Kentucky State Plane Coordinates NAD 83, KY Single Zone datum as provided on said map. Additional information used in conjunction with aforesaid map was obtained from deeds and plats of some of the properties within and bordering the boundaries of the final annexation, said records on file in the offices of the Fleming County Clerk and Fleming County PVA. The consented area previously annexed to the corporate limits of the City of Flemingsburg is newly described as follows:

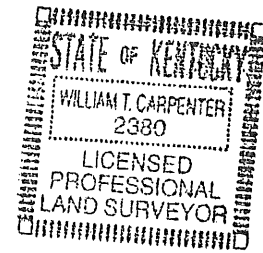
Beginning at a point in the existing city limits of Flemingsburg South of KY Highway No. 32, The Elizaville Road, in or near the West Access Control line of KY Highway No. 11/32 (By-pass), State Plane Coordinates NAD 83, Single Zone Datum of said point of beginning being Northing 4046464.2586 and Easting 5492988.2213; thence with existing city limits along or near the West Access Control line of the bypass for the following three (3) calls:

- (1) South 3 degrees 08 minutes 09 seconds West, 177.66 feet to a point;
- (2) Thence North 83 degrees 33 minute 34 seconds East, 45.60 feet to a point;
- (3) Thence South 16 degrees 45 minutes 15 seconds East, 310.85 feet to a point at or near the common corner of Workman Oil, Flemingsburg, LLC (D.B. 234, P. 523) (formerly Thomas Investments, Inc., D.B. 183, P. 521), the subject annexation property and Samuel H. Gehring, III (D.B. 151, P. 742); thence along or near the common line of same and with new city limits for the following three (3) calls:
 - (1) North 87 degrees 48 minutes 40 seconds West, 236.09 feet to a point;
 - (2) Thence South 5 degrees 13 minutes 00 seconds West, 100.00 feet to a point;

(3) Thence North 73 degrees 47 minutes 04 seconds West, 412.00 feet to a point in or near the line of James Lyle Dorsey (D.B. 168, P. 565); thence continuing with new city limits along or near the common line of aforesaid Workman Oil, Flemingsburg, LLC and Dorsey North 2 degrees 05 minutes 53 seconds East, 209.43 feet to a point at or near the common corner of Dorsey and another Samuel H. Gehring, III property (D.B. 192, P. 494); thence continuing with new city limits along or near latter said Gehring property North 2 degrees 18 minutes 25 seconds East, 265.21 feet to a point in the existing city limits; thence with existing city limits South 86 degrees 40 minutes 50 seconds East, 497.91 feet to the Point of Beginning; enclosing 6.45 acres

William T. (Tommy) Carpenter

William T. (Tommy) Carpenter, PLS
700 Shady Brook Lane
Flemingsburg, KY 41041
(606) 748-7789



3-9-15

EXHIBIT 1

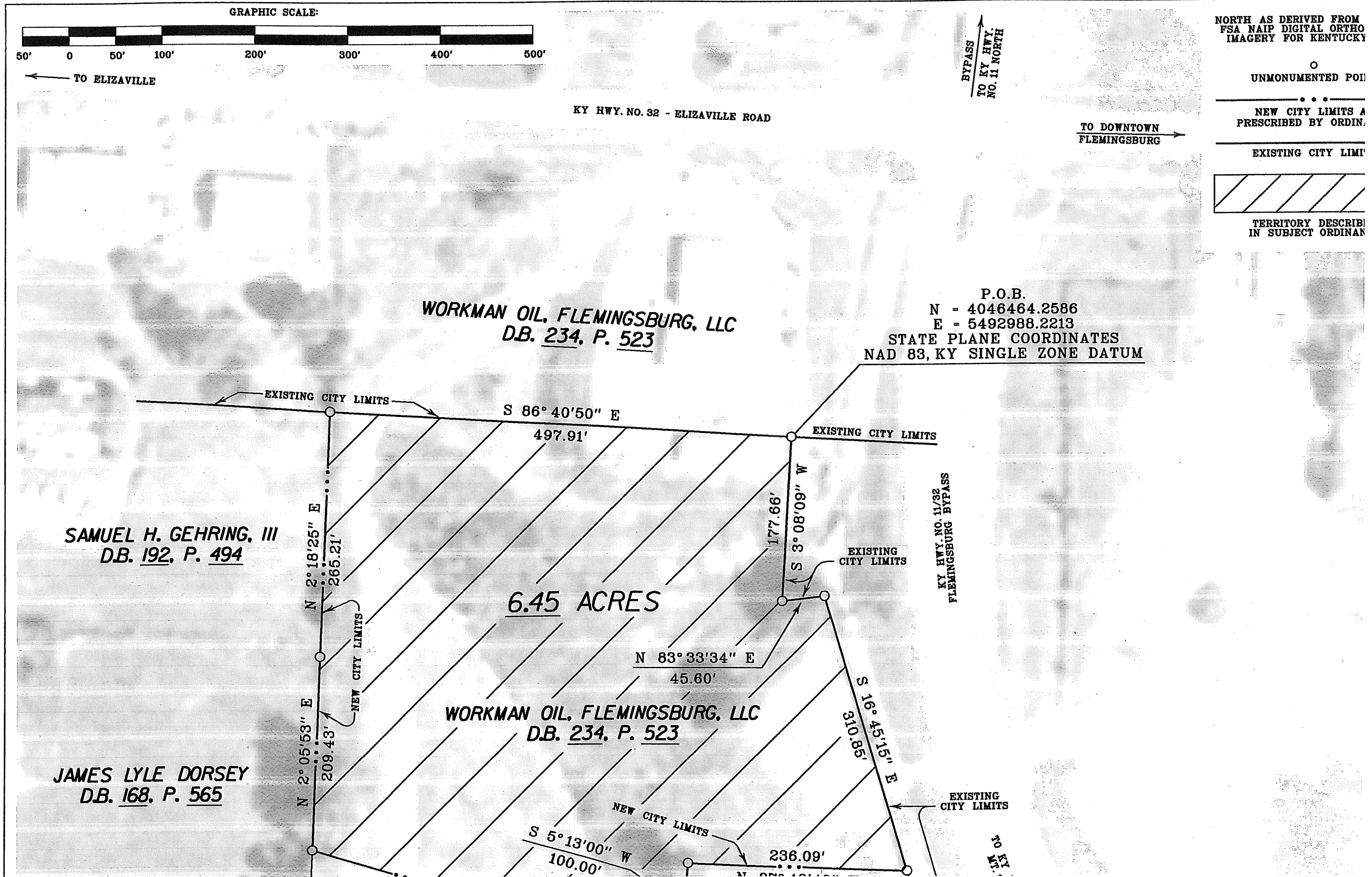
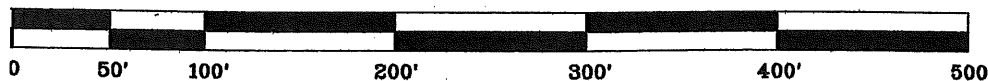


EXHIBIT 1

GRAPHIC SCALE:



TO ELIZAVILLE

KY HWY. NO. 32 - ELIZAVILLE ROAD

BYPASS
TO KY HWY.
NO. 11 NORTH

TO DOWNTOWN
FLEMINGSBURG

NORTH AS DERIVED FROM MAP OF
FSA NAIP DIGITAL ORTHO PHOTO
IMAGERY FOR KENTUCKY, 2004

UNMONUMENTED POINT

NEW CITY LIMITS AS
PRESCRIBED BY ORDINANCE

EXISTING CITY LIMITS

TERRITORY DESCRIBED
IN SUBJECT ORDINANCE

WORKMAN OIL, FLEMINGSBURG, LLC
D.B. 234, P. 523

P.O.B.
N = 4046464.2586
E = 5492988.2213
STATE PLANE COORDINATES
NAD 83, KY SINGLE ZONE DATUM

EXISTING CITY LIMITS

S 86°40'50" E
497.91'

EXISTING CITY LIMITS

177.66'
S 3°08'09" W

EXISTING CITY LIMITS

KY HWY. NO. 11/32
FLEMINGSBURG BYPASS

6.45 ACRES

N 83°33'34" E
45.60'

WORKMAN OIL, FLEMINGSBURG, LLC
D.B. 234, P. 523

S 16°45'15" E
310.85'

EXISTING CITY LIMITS

S 5°13'00" W
100.00'

236.09'

NEW CITY LIMITS

N 2°18'25" E
265.21'
N 2°05'53" E
209.43'

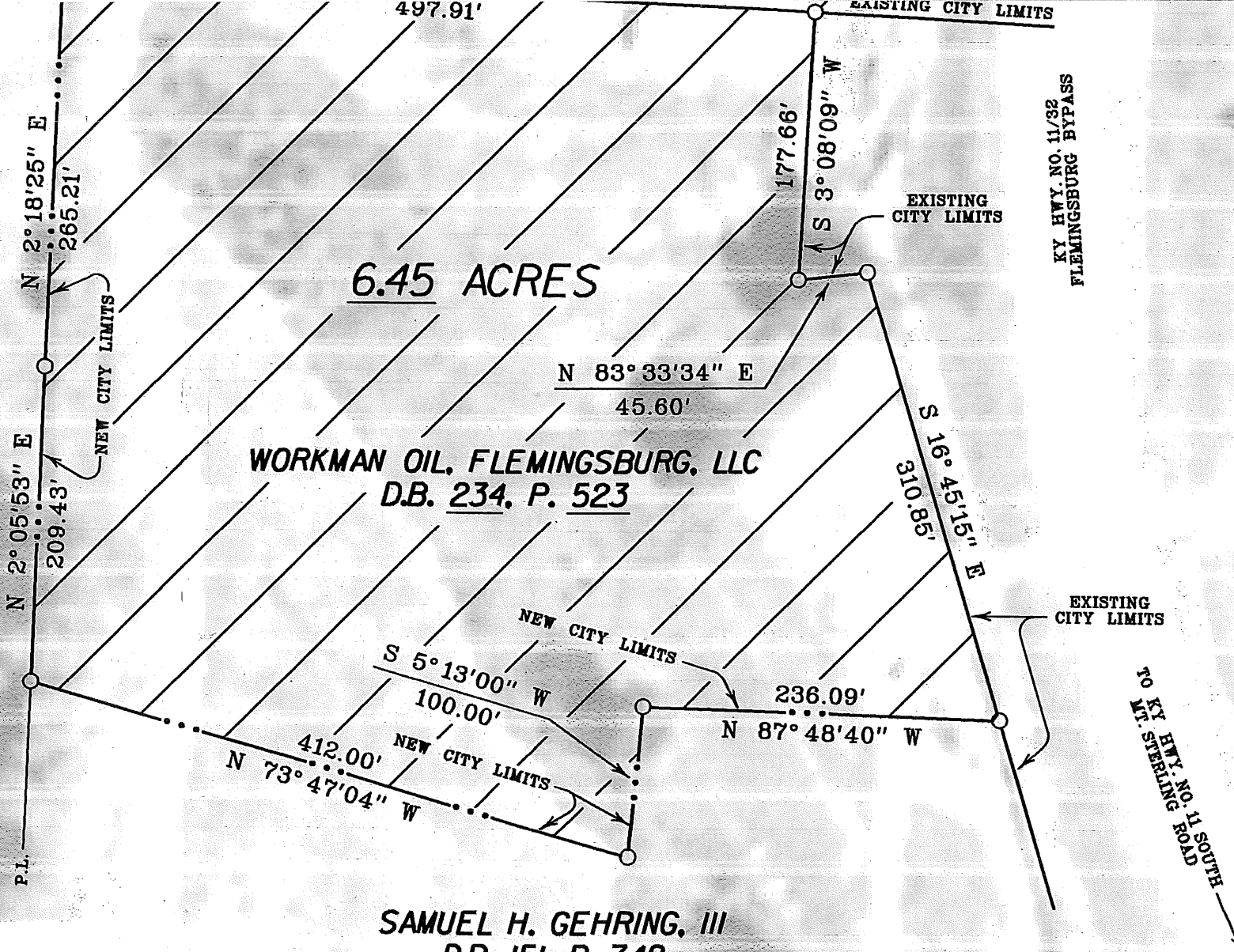
NEW CITY LIMITS

SAMUEL H. GEHRING, III
D.B. 192, P. 494

AMES LYLE DORSEY
D.B. 168, P. 565

SAMUEL H. GEHRING, III
D.B. 192, P. 494

JAMES LYLE DORSEY
D.B. 168, P. 565



COUNTY CLERK'S CERTIFICATION
FLEMING COUNTY, KENTUCKY

I JARROD FRITZ, CLERK OF THE COUNTY AND STATE
FORESAID DO HEREBY CERTIFY THE FOREGOING PLAT OF
NEW MAP OF CITY ANNEXATION, FINAL ENACTMENT
BY THE CITY OF FLEMINGSBURG, FLEMING COUNTY,
KENTUCKY ON FEBRUARY 1, 1998

WAS PRODUCED TO ME AND LODGED FOR RECORD AT
DAY OF

BEARING LEVY TAX DULY RECORDED IN
MY OFFICE IN CABINET *4 SLIDE * FLEMING
COUNTY CLERKS OFFICE.

WITNESS MY HAND THIS THE
DAY OF

JARROD FRITZ

DC

SAMUEL H. GEHRING, III
D.B. 151, P. 742

SURVEYOR'S CERTIFICATION

I DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON WAS COMPILED UNDER MY DIRECTION
BY THE COMBINED USE OF MAPPING PROVIDED BY FARM SERVICES AGENCY (FSA) NATIONAL
AGRICULTURAL IMAGERY PROGRAM (NAIP) DIGITAL ORTHO IMAGERY FOR KENTUCKY, 2004 &
THE DEEDS & PLATS OF PUBLIC RECORD OF PROPERTIES THAT FALL WITHIN & ADJOIN THE NEW
TERRITORY SHOWN FOR ANNEXATION. THIS NEW MAP WAS NOT GENERATED BY AN ACTUAL
NEW FIELD SURVEY BY ME OF THE SUBJECT TERRITORY, BUT IS INTENDED TO DEFINE THE
UNINCORPORATED AREA INTENDED TO BE ANNEXED WITHIN THE TERRITORY REFERENCED IN
SECTION 2 IN THE FINAL ENABLING ORDINANCE NO. 1-98-1, DATED FEBRUARY 1, 1998 & ON FILE
IN THE OFFICIAL RECORDS OF THE CITY OF FLEMINGSBURG OFFICE, OF WHICH THE SURVEY,
MAP & LEGAL DESCRIPTION OF SAME IN SAID ORDINANCE WAS PERFORMED & PREPARED
UNDER MY DIRECTION. THE COORDINATES SHOWN HEREON FOR THE POINT OF BEGINNING OF
SAID TERRITORY WERE OBTAINED BY USING SAID FSA NAIP MAP AND ARE ONLY ACCURATE TO
THE PRECISIONAL LIMITATIONS OF FSA NAIP ACCURACY.

WILLIAM T. (TOMMY) CARPENTER, P.L.S., NO. 2380

March 9, 2015
DATE

NEW MAP OF CITY ANNEXATION
FINAL ENACTMENT BY THE CITY OF FLEMING,
FLEMING COUNTY, KENTUCKY ON FEBRUARY 1,

ENCLOSING TERRITORY ADJOINING EXISTING
CITY LIMITS ON SOUTH SIDE OF KY HWY. NO. 1
ELIZAVILLE ROAD, & WEST SIDE OF KY HWY. NO. 1
FLEMINGSBURG BYPASS

THE PERFORMANCE OF WORK TO GENERATE THIS
DOES NOT REPRESENT A BOUNDARY SURVEY & IS
INTENDED FOR LAND TRANSFER

DRAWING NUMBER: 15-002

WM. T. (TOMMY) CARPENTER, P.L.S.
700 SHADY BROOK LANE
FLEMINGSBURG, KY 41041
PHONE: (606) 748-7789

DRAWN BY: D.L.E.	CHECKED BY: W.T.C.	DATE: 2-13-15	SCALE: 1" = 100'
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STATE OF KY
WILLIAM T. CARPENTER
2380
LICENSED
PROFESSIONAL
LAND SURVEYOR

3-9-15

H. GEHRING, III
192, P. 494

YLE DORSEY
8, P. 565

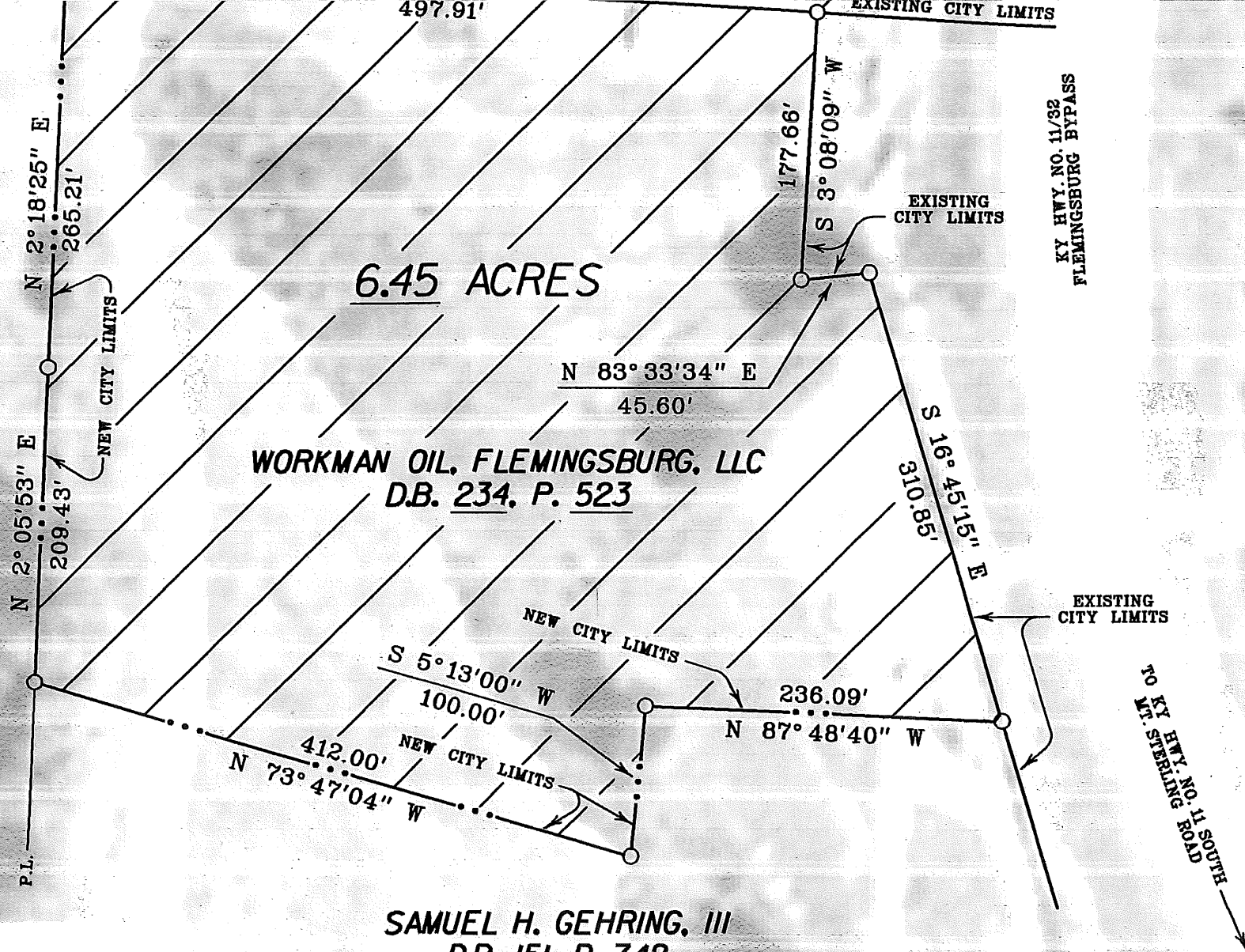
CLERK'S CERTIFICATION
G COUNTY, KENTUCKY

K OF THE COUNTY AND STATE
CERTIFY THE FOREGOING PLAT OF
ANNEXATION, FINAL ENACTMENT
LEMINGSBURG, FLEMING COUNTY,
ON FEBRUARY 1, 1996

E AND LODGED FOR RECORD AT
OF _____
LEVY TAX DULY RECORDED IN
ET #4 SLIDE # _____ FLEMING
CE.
HIS THE _____

ARROD FRITZ

DC



SURVEYOR'S CERTIFICATION
I DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON WAS COMPILED UNDER MY DIRECTION BY THE COMBINED USE OF MAPPING PROVIDED BY FARM SERVICES AGENCY (FSA) NATIONAL AGRICULTURAL IMAGERY PROGRAM (NAIP) DIGITAL ORTHO IMAGERY FOR KENTUCKY, 2004 & THE DEEDS & PLATS OF PUBLIC RECORD OF PROPERTIES THAT FALL WITHIN & ADJOIN THE NEW TERRITORY SHOWN FOR ANNEXATION. THIS NEW MAP WAS NOT GENERATED BY AN ACTUAL NEW FIELD SURVEY BY ME OF THE SUBJECT TERRITORY, BUT IS INTENDED TO DEFINE THE UNINCORPORATED AREA INTENDED TO BE ANNEXED WITHIN THE TERRITORY REFERENCED IN SECTION 2 IN THE FINAL ENABLING ORDINANCE NO. 1-96-1, DATED FEBRUARY 1, 1996 & ON FILE IN THE OFFICIAL RECORDS OF THE CITY OF FLEMINGSBURG OFFICE, OF WHICH THE SURVEY, MAP & LEGAL DESCRIPTION OF SAME IN SAID ORDINANCE WAS PERFORMED & PREPARED UNDER MY DIRECTION. THE COORDINATES SHOWN HEREON FOR THE POINT OF BEGINNING OF SAID TERRITORY WERE OBTAINED BY USING SAID FSA NAIP MAP AND ARE ONLY ACCURATE TO THE PRECISIONAL LIMITATIONS OF FSA NAIP ACCURACY.

William T. (Tommy) Carpenter
WILLIAM T. (TOMMY) CARPENTER, P.L.S., NO. 2380

March 9, 2015
DATE

**NEW MAP OF CITY ANNEXATION
FINAL ENACTMENT BY THE CITY OF FLEMINGSBURG,
FLEMING COUNTY, KENTUCKY ON FEBRUARY 1, 1996**

ENCLOSING TERRITORY ADJOINING EXISTING
CITY LIMITS ON SOUTH SIDE OF KY HWY. NO. 32,
ELIZAVILLE ROAD, & WEST SIDE OF KY HWY. NO. 11/32,
FLEMINGSBURG BYPASS

THE PERFORMANCE OF WORK TO GENERATE THIS MAP
DOES NOT REPRESENT A BOUNDARY SURVEY & IS NOT
INTENDED FOR LAND TRANSFER

DRAWING NUMBER: 15-002

WM. T. (TOMMY) CARPENTER, P.L.S.
700 SHADY BROOK LANE
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PHONE: (606) 748-7789

STATE OF KENTUCKY
WILLIAM T. CARPENTER
2380
LICENSED
PROFESSIONAL
LAND SURVEYOR

DRAWN BY: D.L.E.	CHECKED BY: W.T.C.	DATE: 2-13-15	SCALE: 1" = 100'
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3-9-15